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Letter dated 17 March 2004 from the Secretary-General addressed to the President of the Security Council

I wish to apprise you of the activities that have been undertaken by Cameroon and Nigeria through my good offices and with the assistance of the United Nations Secretariat with a view to facilitating the implementation of the ruling of the International Court of Justice of 10 October 2002 on the land and maritime boundary between these two countries.

It should be recalled that, in anticipation of the Court's ruling and in an effort to secure both countries' prior commitment to the implementation of the expected decision of the Court on their boundary dispute, President Paul Biya and President Olusegun Obasanjo met in Paris on 5 September 2002, at my invitation and in my presence. In a press release issued at the end of the meeting, both heads of State agreed to respect and implement the Court's ruling and to establish an implementation mechanism with the support of the United Nations. The two Presidents also agreed on the need for a number of confidence-building measures aimed at strengthening overall ties between their two countries.

Following the Court's announcement of its ruling on 10 October 2002, I invited the Cameroonian and Nigerian Presidents to a second tripartite summit, which was held under my auspices in Geneva on 15 November 2002, to agree on the implementation mechanism and on confidence-building measures to be put in place to facilitate the implementation of the Court's ruling. In a joint communiqué issued following the meeting, both heads of State renewed their commitment to renounce the use of force in their bilateral relations and to strive to settle their boundary disagreement by peaceful means. In order to move forward on the implementation of the Court's decision, both heads of State requested me to establish a Mixed Commission, to be chaired by my Special Representative, Mr. Ahmedou Ould-Abdallah.

The Cameroon-Nigeria Mixed Commission was mandated to consider the implications of the Court's decision, including the demarcation of the land boundary between the two countries; making recommendations on additional confidence-building measures such as the development of projects to promote joint economic ventures and cross-border cooperation; troop withdrawal from relevant areas along the land boundary; eventual demilitarization of the Bakassi peninsula, with the possibility of deploying international personnel to observe the withdrawal; and reactivation of the Lake Chad Basin Commission, a five-nation structure of which

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Cameroon and Nigeria are leading members. The Mixed Commission meets bi-monthly, alternately in Yaoundé and Abuja.

At its first meeting, held in Yaoundé in early December 2002, the Mixed Commission agreed to establish a subcommission with responsibility for the demarcation of the land boundary between the two countries. The subcommission, which consists of legal experts and cartographers from the two parties and the United Nations, held its first meeting in Geneva in January 2003. The subcommission reports back on its work to the Mixed Commission's bi-monthly meetings.

As mandated, the subcommission on demarcation has prepared a small-scale map indicating the boundary and a work programme for the demarcation exercise, which was approved by the Mixed Commission at its second meeting, held in Abuja in February 2003. The demarcation exercise is expected to last approximately 96 weeks.

The Mixed Commission, which reaffirmed its commitment to guarantee the rights of all people affected by the Court's decision, both Cameroonians and Nigerians, has established a subcommission on affected populations. At its eighth meeting, held in Abuja on 10 and 11 February 2004, the Mixed Commission decided that the subcommission on affected populations should undertake an additional visit to the land boundary area, which will be followed immediately by a field visit to the Bakassi peninsula in February and March 2004. In February, the subcommissions on affected populations and on demarcation carried out a field visit to the southern part of the land boundary between Cameroon and Nigeria. From 24 to 28 February, the group visited the Bakassi peninsula.

At the Abuja meeting, the Mixed Commission also decided that it would carry out field visits to the land boundary area and the Bakassi peninsula itself in March 2004. In addition, the Mixed Commission considered the issue of the maritime boundary, including a proposal to set up a subcommission on this matter. It decided to establish a working group, to be composed of five experts each from Nigeria and Cameroon, along with United Nations experts, in order to make a preliminary study and submit recommendations. In particular, the working group is expected to propose a delineation of the maritime boundary in conformity with the course determined by the International Court of Justice and to produce a map on that basis.

To promote confidence-building, the Mixed Commission has also identified possible projects to promote cross-border cooperation and joint economic ventures, the implementation of which could benefit the population in the area. These include the reactivation of the Lake Chad Basin Commission.

The progress achieved so far by the Mixed Commission since its first meeting, in December 2002, is commendable. In addition to the various structures outlined above, the Commission has adopted a detailed work plan for the period to 2005. One of the most important tasks carried out by the Commission was the successful completion of the withdrawal of and transfer of authority from the civil administration and military and police forces in the Lake Chad area, which took place in December 2003. Nigeria handed over 28 villages to Cameroon, while Cameroon transferred one village to Nigeria. On 16 December, the Mixed Commission Chairman, Mr. Ould-Abdallah, presided over formal ceremonies to mark the handover, in the presence of the heads of both countries' delegations,

namely, Mr. Amadou Ali, Minister of Justice of Cameroon, and Prince Bola Ajbola, former Minister of Justice of Nigeria.

To consolidate the withdrawal and transfer of authority in the Lake Chad area, the Mixed Commission decided to establish an observer personnel group there for a period of one year, composed of five members each from Nigeria and Cameroon, as well as five representatives from the United Nations.

I welcome the progress achieved so far, which has proved that neighbouring States can, with minimal United Nations support, work together to prevent a border conflict and settle their differences peacefully. I wish to stress that such progress has been greatly facilitated by the leadership and firm personal commitment of President Biya and President Obasanjo, as well as their high-level representation on the Mixed Commission. This was evidenced in particular by the contributions made by the two countries of $3 million each to the United Nations trust fund for the financing of the demarcation process, which has approximately $12 million. The European Commission has agreed to allocate 400,000 euros for the demarcation exercise. Other donors have expressed willingness to contribute to the trust fund established for this exercise.

Furthermore, I am pleased to inform you that at a third tripartite summit between President Biya and President Obasanjo, held in Geneva on 31 January 2004 under my auspices, the two leaders reaffirmed their commitment to implementing the agreed work plan of the Mixed Commission in good faith and in the interest of peace and stability, not only in their countries but also in the subregion. In addition, they agreed to strengthen confidence-building measures through an exchange of ambassadors, the opening of consulates along their common border and the introduction of joint patrols by their respective security forces.

Both heads of State also agreed to consider concluding a treaty of friendship and non-aggression between their two countries. They decided that the Joint Commission, a long-standing bilateral mechanism for cooperation, would meet at a higher level and on an annual rather than biannual basis. They renewed their commitment to take appropriate measures to guarantee the security and welfare of the populations affected by the decision of the International Court of Justice in areas under their respective sovereignty. Both leaders agreed to meet again under my auspices in due course to review the ongoing process.

The total amount of resources required for the demarcation exercise and for the funding of the activities of the United Nations support team to the Mixed Commission until the end of 2005 is estimated at $25 million, including $12 million for the demarcation and $13 million for support to the Commission. As indicated above, Cameroon and Nigeria have already contributed $3 million each to the United Nations trust fund for the financing of the demarcation process. The outstanding balance of $6 million to finance the demarcation process would be met from voluntary contributions.

It should be noted that the activities of the United Nations support team to the Mixed Commission have so far been funded through ad hoc arrangements, with extrabudgetary resources being used for its 2003 operations. It was understood that these ad hoc arrangements could not continue after 2003. In view of the significant progress achieved so far, and in order to ensure the successful completion of the implementation of the Court's ruling, it is vital to secure the estimated funding

needed — $13 million — to enable the United Nations to continue to support the Mixed Commission until the end of 2005. It is therefore my intention to seek such funding from the regular budget.

I should be grateful if you would bring the content of this letter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**